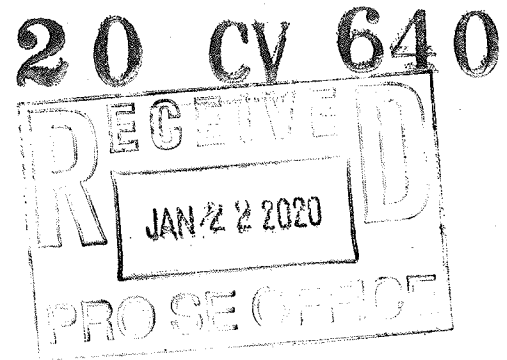


UNITED STATES DISTRICT COURT  
NEW YORK SOUTHERN DISTRICT

(pg # 1 of 10)

NASEAN BONIE - (plaintiff) -

v.



ANTHONY ANNUCCI, - (defendants) -

"Superintendent": ROYCE,

ILESHEMA THOMAS aka "MIMI" (OFFICER: THOMAS)

individually & in their official capacities

Complaint

Civil Action No# \_\_\_\_\_

1. This is a civil action authorized by 42 U.S.C. section 1983 to redress the deprivation, under color of state law, of rights secured by the Constitution of the United States. This court has jurisdiction under 28 U.S.C. Section 1331 and 1343 (a)(3). Plaintiff seeks declaratory relief pursuant to 28 U.S.C. Section 2201 and 2202. Plaintiff's claims for injunctive relief are authorized by 28 U.S.C. Section 2283 & 2284 and Rule 65 of the Federal Rules of Civil Procedure. The Court has supplemental jurisdiction over plaintiff's state law claims under 28 U.S.C. Section 1367. Plaintiff's federal tort claims Act claims are authorized by 28 U.S.C. Section 1346.

2. The New York Southern District is an appropriate venue under 28 U.S.C. Section 1391 (b)(2) because it is where the events giving rise to this claim occurred.

3. Plaintiff, "NASEAN BONIE" is and was at all times mentioned herein a prisoner of the State of NEW YORK in the custody of the NEW YORK Department of Corrections. He is currently confined in GREEN HAVEN CORRECTIONAL FACILITY, in STORMVILLE, - NEW YORK.

4. Defendant, "ANTHONY ANNUCCI" is the Commissioner of the state of NEW YORK Department of Corrections. He is legally responsible for the overall operation of the Department and each institution under its jurisdiction, including GREEN HAVEN - CORRECTIONAL FACILITY in STORMVILLE, NEW YORK.

5. Defendant, "ROYCE" is the Superintendent of - GREEN HAVEN CORRECTIONAL FACILITY. He is legally responsible for the operation of GREEN HAVEN CORRECTIONAL FACILITY and for the welfare of all the inmates in that prison.

6. Defendant, "ILESHEMA THOMAS" is a correctional officer of the New York Department of Corrections who, at all times mentioned in this complaint, held the rank of Correctional officer and was assigned to GREEN HAVEN CORRECTIONAL FACILITY.

7. Each defendant is sued individually and in his - [or her] official capacity. At all times mentioned in this complaint each defendant acted under the color of state law.

8. Upon my (NASEAN BONIE) arrival at Green Haven Correctional-Facility in early 2017 around "February/March", I met (Officer: THOMAS) who was working in housing area "G-Block". One night after (10pm) a few weeks later my cell was opened by (Officer: THOMAS) who is a "African - American, Female, approx 5'6, Big lips, Medium Brown Complexion, - very long Sharp Fingernails". She told me I had "Legal Mail", so I stepped out of my cell and ~~from~~<sup>CRMS</sup> walked down my company (#3).

When I arrived at the beginning of the company (Officer: THOMAS) told me to wait before walking down the steps. She then told me "You dont remember me?", I replied "NO". She then smiled and explained to me that she saw my case on the news and even knows my family. She told me "I knew you Innocent and Going Home", I was happy to hear that because I am fighting on my criminal-appeal to be with my family because I am in fact innocent of my manslaughter case. She starts to tell me about her family and

then she holds my hand, then places it on her behind (BUTT). She tells me "it is not flat anymore" and then proceeds to Kiss me. Before I can even fully react she grabs my "PENIS" and unzips my pants. Now I'm scared out of my mind, I don't know this women and the guards can KILL you for messing with there women.

So I tell her "We cant do this, I'm in Prison". She gets upset and says "I'm do what I want stop fronting niggas be wanting me all the time, plus its a Direct Order"! Then she grabs my (Testicles) very hard squeezing them telling me "if you dont give me what I want, I'll scream Rape and pull the pin - (Emergency Pin)". I was scared of getting Killed by Officers, a Rape case even, I didn't want any trouble so I just complied to her sexual demands. She smiled then began to give me - (ORAL Sex) on the staircase. I begin to climax and she swallows my sperm. She then pulls out a condom and brings me to the middle of the Officers Bubble (Doorway) and she pulls down her pants revealing her (Tan/Brown) "THONG" and her privates. She gives me more (ORAL SEX) and then tells me to give her the condom, she puts it in her mouth and rolls it along the shaft of my penis until the condom is fully covering my penis. She turns around and tells me "Don't hit it to hard or somebody will hear". I stand there she reaches between her legs and slides me inside of her vagina. - (Standing "Doggystyle" Position) - Once I climax she takes a glove and takes condom off of my penis and puts it in her pocket. I go back to my cell feeling the lowest I have ever felt in my entire life. I didn't sleep at all and was too scared to even go to the "Messhall" to eat food! This routine kept going and I would be forced to even give her "(ORAL SEX)" on her Vagina and her anus.

Embarrassed, Depressed and even thoughts of Suicide were on my mind daily, but worse than that was the smell of this women was on me like a second skin. The taste of her was and still is on my tongue, she was not a clean women (Hygiene). Sometimes I could taste the Feces from licking on her ANUS, I told her "Come on please just leave me alone". She smile and just pull her pants down to her ankles and say - "Its time to eat"! Then she would lean on the bars and take both of her hands and spread her buttocks. That was her sign for me to give her oral sex and she wouldn't let me stop until she orgasmed in ~~the~~<sup>my</sup> mouth. I spit it out once and never made that mistake again because she told me "if I did that again she would kill me". Whats worse is, I honestly couldn't do anything about it (My Size) meant nothing. I was scared of this womens power and "Upon information & belief" (she has gotten alot prisoners Beat up really bad) plus disciplinary actions as well. For a very long-time when the other (officers) would come around with "GO-AROUND LIST", I wouldn't ask for "Chow, Yard" only thing was \*SHOWER\*, thats the only thing that truly saved me to take the smell away if only for a little and put my head under the water to let my Tears flow down the drain, where no one can see me or hear me.

Eventually, I just could not take it anymore and reached out for help thru my Attorney's but was still too afraid to name (Officer: THOMAS) let alone state what she was doing to me.

So I told my attorneys I was in fear of my life due to the victim in my case family member threatening to harm me. (My Attorney) "Mrs. Lauren Springer, ESQ" seeks immediate assistance with my counselor to get me moved into "Protective Custody" or a different prison. After alot of back & forth I was removed from "G-Block" to the West-side (A-Block). I was so relieved and could finally breath again that lasted for a few months. Then out of nowhere I was moved back to \*G-Block\*, and given a program called "Building Maintenance" as a vocational. I never signed up for this program, I have (Military Experience) as well as a "Automotive Technician" degree from (New York Automotive & Diesel Institute). I wrote to (Deputy: KOPP) who is in charge of (PROGRAMS) and she told me she would look into it! (Deputy: KOPP) never did and I was moved on the (#1-company) of \*G-Block\*, which in a way was safer because it would not be so easy for (Officer: THOMAS) to sexually assault me due to the "(A-Officer)\*" which is another officer posted at the bubble. It was now "October, 2018" and my cousin had passed away, then (Officer: THOMAS) came by my cell and asked me if I was "OK"!

I snapped on her and cursed at her to get away from me.

Something inside me (Mentally) broke and is still broken, I wasn't scared of her getting me \*Beat UP\* or even \*Killed\*! I was tired of her abuse, her sex on demand than to make matters even worse her younger sister (Officer: HUGGINS) was working in \*G-Block\* as well! I decided to come forward after (Officer: HUGGINS) had officers falsely lock me up for \*32\* days and I even beat the ticket of which I have attached written by (Officer: Germano & Mahan)\*. I decided to tell someone which whom I trust and I told my (Mother: "Ms. Patricia Evans"), thru a letter! My mother contacted my attorneys as well as (Office Of Special Investigations for New York Department Of Corrections)\*. Then in - (December, 2018), I was met by a (Investigator) from there "Inspector General" Department. I told him exactly who my attacker has been a women named (Officer: THOMAS) aka - "MIMI". Investigator "THORTON" assured me he would get to the bottom of this.

9. Upon Information and belief, after the investigation was started in (December<sup>23<sup>rd</sup></sup>, 2018)\* I was retaliated against by officers (who are friends of (Officer: THOMAS)). I have attached multiple (Grievances) for this courts review.



10. Plaintiff (NASEAN BONIE) used the prisoner grievance procedure available at (GREEN HAVEN CORRECTIONAL FACILITY) to try and solve the problem. On (December 7<sup>th</sup>, 2018)\*, Plaintiff - (NASEAN BONIE) presented the facts relating to this complaint. On or around (December 23<sup>rd</sup>, 2018)\*, Plaintiff (NASEAN BONIE) was interviewed about said (P.R.E.A. - Grievance) by "New York - State Department of Corrections - Office of Special Investigations," said \* (Investigator: THORTON)\* "Male, Caucasian, short in height, shaved face, - short hair cut"! Plaintiff, (NASEAN BONIE) has not received Any disposition stating outcome of investigation, I wrote to "Office of Special - Investigations" to inquire or even appeal there investigation and still to this date \*NO-Response\*! Plaintiff has exhausted (Grievance) remedies!

11. Plaintiff (NASEAN BONIE) reallege and incorporate by reference paragraphs (1-10).

12. The "Sexual Assault & Battery (RAPE)", "Unsafe - Conditions", "Harassment", and "Retaliation" violated Plaintiff (NASEAN BONIE)'s rights and constituted (Cruel & Unusual Punishment) under the "(Eighth)\* Amendment to the - United States Constitution. (Officer: THOMAS) conduct violated plaintiffs rights and constituted cruel and unusual punishment under the "(Eighth)\* Amendment - of the United States Constitution. Defendants failed to protect "Plaintiff" from (Sexual Abuse) "Cruel & Unusual Punishment", under the "(Eighth)\* Amendment - of the United States Constitution.



13. The Plaintiff (NASEAN BONIE) has no plain, adequate or complete remedy at law to redress the wrongs described herein. Plaintiff has been and will continue to be irreparably injured by the conduct of the defendants unless this court grants the declaratory and injunctive relief which plaintiff seeks.

WHEREFORE, plaintiff (NASEAN BONIE) respectfully prays that this court enter judgment granting plaintiff:

14. A declaration that the acts and omissions described herein violated plaintiff's rights under the Constitution and Laws of the United States.

15. A preliminary and permanent injunction ordering defendants (ANTHONY ANNUCCI, "Superintendent" ROYCE, & ILESEHEMA THOMAS - aka "MIMI" (OFFICER: THOMAS)) to stop "Any and All Harassment, Denial of Programs, and Retaliation by Staff at GREEN HAVEN Correctional Facility".

16. Compensatory damages in the amount of \$ 5,000,000.00 - against each defendant, jointly and severally.

17. Punitive damages in the amount of \$ 1,000,000.00 - against each defendant.

18. A Jury trial on all issues triable by Jury
19. Plaintiff's cost in this suit.
20. Any additional relief this Court deems just, proper and equitable.

Dated: (January 6<sup>th</sup>, 2020)

Respectfully Submitted

Mr. Nasean Bonie

(Din# 15A1872)

Green Haven Correctional Facility,


P.O. Box # 4000,

Stormville, NY 12582

### VERIFICATION

I have read the foregoing complaint and hereby verify that the matter alleged therein are true, except as to matters alleged on information and belief, and, as to those, I believe them to be true. I certify under penalty of perjury that the foregoing is true and correct.

Executed at (Stormville, New York) on (January 6<sup>th</sup>, 2020)

\*  \*

Mr. Nasean Bonie

\* (1<sup>st</sup> Infantry Division, IRAR, Germany) \*

FILE

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

---

NASEAN BONIE, -(Plaintiff)-

v.

ANTHONY ANNUCCI, -(Defendants)-

"Superintendent": ROYCE,

ILESHEMA THOMAS aka "MIMI" (OFFICER: THOMAS)

individually & in their official capacities

SUMMONS

Civil Action # \_\_\_\_\_

TO THE ABOVE-NAMED DEFENDANTS:

You are hereby summoned and required to serve upon plaintiff, whose address is (GREEN HAVEN CORRECTIONAL FACILITY, P.O.#4000, STORMVILLE, NEW YORK, 12582) an answer to the complaint

which is herewith served upon you, within 20 days after service of this summons upon you, exclusive of the day of service, or 60 days if the U.S. <sup>Government</sup> ~~Corporation~~ or officer/agent thereof is a defendant. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint.

(CLERK OF THE COURT)

Date: \_\_\_\_\_

cc:File

STATE OF NEW YORK  
COURT OF CLAIMS

-----X  
Nasean Bonie,

Claimant,

NOTICE OF MOTION

-against-

Claim No.

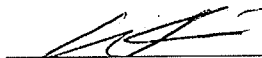
Assigned Judge:

The State of New York,

Defendant.  
-----X

Upon the affidavit of Nasean Bonie, sworn to on December 13<sup>th</sup>, 2019, and upon the documents attached as exhibits, and all prior proceedings, the claimant will move this court on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_, for an order granting damages in the amount of \$10,000.00. The above-titled action is for (briefly state nature of action; e.g., personal injury, medical malpractice, loss of property, etc.):

Dated:

  
\_\_\_\_\_  
Mr. Nasean Bonie (#15A1872) pro se  
Green Haven Correctional Facility  
PO Box 4000  
Stormville, NY 12582

To: New York State Attorney General  
Department of Law  
The Capitol  
Albany, N.Y. 12224

(The original and two copies of all motion papers, including the notice of motion, supporting affidavits and exhibits, and an affidavit of service, must be filed with the Clerk of the Court - PO Box 7344 Capitol Station, Albany, NY 12224 - at least eight days prior to the return date of the motion. Motions should be made returnable any Wednesday. Unless permission for oral argument has been granted, all motions are submission only - NO COURT APPEARANCE IS REQUIRED OR ALLOWED)

Please refer to the Uniform Rules for the Court of Claims §§206.8 & 206.9

STATE OF NEW YORK  
COURT OF CLAIMS

-----x

Nasean Bonje

Claimant,

**CLAIM**

-against-

The State of New York,

Defendant.

-----x

1. The post-office address of the claimant is: Green Haven Correctional Facility, PO Box 4000, Stormville, NY 12582.

2. This claim arises from the following acts or omissions of the defendant: The nature of my claim is as follows: Claimant was served with a tier II misbehavior report written by officers D. Germano and Mahon. The charges were for an incident that allegedly took place on December 7, 2018. The charges included: direct order; threat; interference; out of place; movement violation; and threat of violence.

**First Cause of Action**

**False imprisonment/wrongful confinement (Wilkerson v. Skinner, 34 N.Y.2d 53);  
Employee's conduct was cause-in-fact of Claimant's expressed injury (Escobar v. STte,  
Claim No. 92517; Wimberly v. State, Claim No 87339**

3. Both of the officers put November 5 as the date that the officer signed and reported this incident. So that it took over a month before the misbehavior report was written assuming it was in 2018 (the report does not indicate the year).

4. There was a third officer present but his name was not included in the report. As a result I was illegally confined based on a falsified misbehavior report. If there was a threat issued by myself, then one or all three officers would have pulled the emergency pin in the security radio.

5. On December 8, 2018, officer Germano retrieved my state issued razor during “razor exchange” and asked if I am having fun – mocking the fact that I got confined to my cell based upon her false misbehavior report.

6. On December 12, 2018, Officer Mahon did the go-around list and in response to the officer’s question “do you take medication” I shook my head from left to right indicating “no,” for fear that my words would be twisted into another false misbehavior report. The officer raised his voice and grabbed the bars and said, “didn’t you just hear what the fuck I just said.?” I replied “no” verbally. He smiled and walked away.

### **Second Cause of Action**

**Intentional Negligence – malicious conduct on the part of corrections personnel, egregious due process violations, confinement beyond the time impose for conducting disciplinary hearings (Gittens v. State, 132 Misc2d 399); Claimant’s confinement was not privileged and was cruel and unusual punishment**

7. Claimant reported the above incidents in a Grievance Report dated December 13, 2018. (See Exhibit \_\_\_\_)

8. On January 15, 2019, a memorandum was received by myself written by Captain Norton stating that the misbehavior report of December 7, 2018 was being dismissed and that I was released. No explanation was provided; no detail as to facts discovered during this investigation was given.

9. Claimant received no disposition from a hearing officer.


10. Accordingly, Claimant was illegally confined to his cell constituting a violation of his due process rights and his right to not suffer cruel and unusual punishment.

11. The place where the act(s) took place was: Green Haven Correctional Facility, G-Block, Five (5) Company.

12. This claim accrued on the 7<sup>th</sup> day of December 2018.

13. A Notice of Intention to File a Claim was served on the New York State Attorney General on March 29, 2018, which was within 90 days of the date of accrual.

By reason of the forgoing, Claimant was damaged in the amount of \$10,000.00 and Claimant demands judgment against the Defendant(s) for the same amount.

  
\_\_\_\_\_  
Claimant *Mr. Naseem Bonid (#15H872)*



VERIFICATION

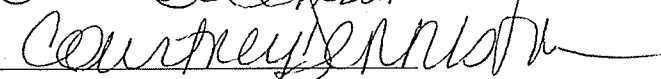
STATE OF NEW YORK     )  
                                          )     ss.:  
COUNTY OF DUTCHESS    )

Nasean Bonie, being duly sworn, deposes and says that deponent is the Claimant in the within action: that the deponent has read the foregoing Claim and knows the contents thereof; that the same is true to deponent's own knowledge, except as to matters therein stated to be alleged upon information and belief, and that as to those matters, deponent believes them to be true.



Claimant

SWORN TO BEFORE ME THIS  
13 DAY OF December 2019

  
NOTARY PUBLIC

COURTNEY DENNISTON  
Notary Public, State of New York  
No. 01DE6180563  
Qualified in Orange County  
Commission Expires 01/14/2020

STATE OF NEW YORK  
COURT OF CLAIMS

-----X  
Nasean Bonie,

Claimant,

-against-

AFFIDAVIT IN SUPPORT  
OF APPLICATION PURSUANT  
TO CPLR §1101(f)

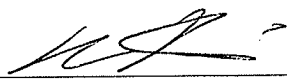
Claim No.  
Assigned Judge:

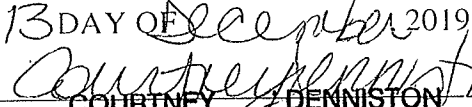
The State of New York,  
Defendant.

-----X  
STATE OF NEW YORK )  
 ) ss.:  
COUNTY OF DUTCHESS )

I, Nasean Bonie, being duly sworn, hereby declare as follows:

1. I am the claimant in the above-entitled proceeding. I am an inmate in a state correctional facility, Green Haven Correctional Facility, PO Box 4000, Stormville, NY 12582, and I submit this affidavit in support of my application for a reduction of the filing fee.
2. I currently receive no income exclusive of facility wages:
3. I own no property (other than miscellaneous personal property):
4. I have no savings, assets, or income other than listed above.
5. I am unable to pay the filing fee necessary to prosecute this proceeding.
6. No other person who is able to pay the filing fee has a beneficial interest in the result of this proceeding
7. The facts of my case are described in my claim and other papers filed with the court.
8. I have made no prior request for relief in this case.

  
\_\_\_\_\_  
Nasean Bonie, pro se

SWORN TO BEFORE ME THIS  
13 DAY OF December 2019  
  
COURTNEY DENNISTON  
Notary Public, State of New York  
No. 01DE6180563  
Qualified in Orange County  
Commission Expires 01/14/2020

STATE OF NEW YORK  
COURT OF CLAIMS

-----x  
Nasean Bonie,

Claimant,

-against-

The State of New York,

Defendant.  
-----x

STATE OF NEW YORK )

)

SS.:

COUNTY OF DUTCHESS )

**20 CV 640**

MOTION TO ASSIGN COUNSEL

Claim No.

Assigned Judge:

I am the above Claimant, as such, and having being duly sworn I depose and say the following:

1. This is a formal request for the appointment of counsel. Besides being ignorant of the law and the nuances of motion practice and litigation in this court, I am a veteran suffering from PTSD and am currently taking prescription medication for same as well as other psychotropic medication.

2. I ask that this court assign counsel for the purpose of preparing documents to be filed with the court. I have no idea of what to do. There are clerks in the law library who have helped me, but because of the complaints that I have been making, I am liable to be moved at any time to another facility.

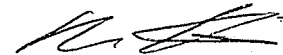
3. All efforts to acquire counsel have failed. I am currently incarcerated and therefore cannot afford to pay any retainer fee. My requests for pro bono representation have thus far been rejected.

4. I understand that I have no right to be appointed counsel in this action. However, it is within this court's authority to assign counsel should the court decide to.

5. As a pro se litigant I am unable to depose the defendants; or seek and collect any new evidence/information that may arise as a result of any depositions. As to my limited knowledge there are several forthcoming technical procedural instances yet to come, which I am totally incapable of understanding, much less executing.

6. Accordingly, I implore Your Honor to assign counsel to represent this Plaintiff's interests plus any other form o relief relative to the within requests.

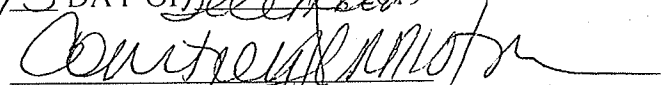
RESPECTFULLY SUBMITTED



Nasean Bonie, Pro Se

SWORN TO BEFORE ME THIS

13 DAY OF December 2019



NOTARY PUBLIC

COURTNEY 'DENNISTON  
Notary Public, State of New York  
No. 01DE6180563  
Qualified in Orange County  
Commission Expires 01/14/2020

cc: file

AUTHORIZATION

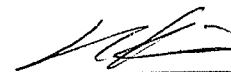
**20 CV 640**

I, Nasean Bonie, DIN 15-A-1872, request and authorize the agency holding me in custody to send to the Clerk of the Court of Claims certified copies of the correctional facility trust fund account statements (or the institutional equivalent) for the past six months.

I further request and authorize the agency holding me in custody to deduct the filing fee from my facility trust account and to disburse those amounts as instructed by the Court of Claims.

This authorization is furnished in connection with the above-entitled case and shall apply to any agency into whose custody I may be transferred.

I UNDERSTAND THAT THE ENTIRE FILING FEE AS DETERMINED BY THE COURT OF CLAIMS WILL BE PAID IN INSTALLMENTS BY AUTOMATIC DEDUCTIONS FROM MY CORRECTIONAL FACILITY TRUST FUND ACCOUNT EVEN IF MY CASE IS DISMISSED.



Nasean Bonie (#15A1872)

Green Haven Correctional Facility  
P.O. Box #4600,  
Stornville, NY 12580

AFFIDAVIT OF SERVICE

STATE OF NEW YORK     )  
                                      )  
COUNTY OF DUTCHESS    )     ss:

Mr. Nascan Bonie, being duly sworn, deposes and says:

I am the above-mentioned Claimant and I have served a copy of the Notice, Verified Claim and Affidavit in Support of Application to Proceed as Poor Person and Motion to Assign Counsel upon the New York State Attorney General, Department of Law, the Capitol, Albany, New York, 12224 by placing the above in a post-paid envelope and depositing it in a United States Postal Service mailbox located at Green Haven Correctional Facility, Stormville, NY 12582 on the 13 day of December, 2019, as due and sufficient service.

  
Mr. Nascan Bonie (#15A1872)

SWORN TO BEFORE ME THIS  
13 DAY OF December 2019

  
NOTARY PUBLIC

**COURTNEY ' DENNISTON**  
Notary Public, State of New York  
No. 01DE6180563  
Qualified in Orange County  
Commission Expires 01/14/2020

New York State

(pg# 1 of 3)

Court of Claims

NASEAN BONIE, - (claimant) -

- against -

The State of New York, - (Defendant) -

Notice of Intention

To File Claim

Claim # \_\_\_\_\_

To: The Attorney General of State of New York

Please Take Notice that the undersigned, Nasean Bonie, intends to file a claim against the State of New York pursuant to sections 0 and 11 Court of Claims Act.

1. Claimant moving as State Prisoner and Ward of the State is currently indigent and pro-se movant status.

2. Claimant is housed in Department of Corrections and Community Supervision, State of New York, Green Haven Correctional Facility, P.O. Box #4000, Stormville, New York 12582.



3. The address where the incident occurred is "Green Haven - Correctional Facility", housing area (G-Block)!

4. The dates of these incidents were from "March, 2017" thru "December, 2019". Any discrepancies or dispute concerning the dates would be resolved in claimant's prison records.

5. The Nature of the claim is "Sexual Assault & Battery, (RAPE), - Harrassment, Unsafe - Conditions, & Retaliation" where claimant was repeatedly (Raped) by a New York State Correctional Officer at "Green Haven - Correctional Facility".

6. New York State Correctional Officer (ILESEMA THOMAS) opened claimant cell after 10pm in (March, 2017) and threatened claimant to comply to sexual demands at the same time using physical force by squeezing claimant's testicles to comply with demands.

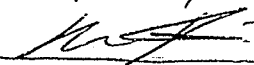
7. This abuse continued over the course of weeks and months while continuing to threaten claimant with physical violence and/or even death if claimant did not comply to (Officer: - THOMAS) demand.

8. Claimant finally was able to gain the courage to notify his family whom then notified (New York State Department of Corrections & Community Supervision - \*OFFICE OF SPECIAL INVESTIGATIONS\*).

9. Claimant has been "Retaliated & Harassed" since his (P.R.E.A - Grievance) was filed in "December <sup>23<sup>rd</sup></sup> 2018" with the "Office of Special Investigations". Claimant has been a victim of "Cruel & Unusual Punishment" by (OFFICER: THOMAS). Claimants (Eighth) - Amendment rights were violated by (OFFICER: THOMAS). Defendant failed to protect "Claimant" from (Sexual Abuse), "Cruel & Unusual" Punishment - under the (Eighth) Amendment of the United States Constitution.

Date: January 6<sup>th</sup>, 2020

Respectfully Submitted

\* 

Mr. Naseem Bonie (#15A1872)

Green Haven Correctional Facility

P.O. Box # 4000,

Stormville, NY 12582

New York State  
Court of Claims

NASEAN BONIE, (-claimant-)

- against -

The State of New York, (-defendant-) x

Verified Claim

Claim # \_\_\_\_\_

- NASEAN BONIE, (#15A1872), pro-se claimant, moving in Forma -

Pauperis, alleges and duly asserts under penalty of perjury, that:


1. He is a prisoner of the State of New York, under the New York State Department of Corrections & Community Supervision where by Directive's afford him safety from (Assault & Battery, "RAPE"), - (Harassment), (Un-safe conditions) & (Retaliation) from Correctional Officers here in New York State.

2. Accordingly, the denial of claimants safety resulted in (Assault & Battery, "RAPE") amounting to "Cruel & Unusual Punishment" violating claimants (Eighth) Amendment rights of the United States Constitution.

3. That defendant, Correctional Officers who are subordinate to the State of New York have endangered claimants physical ~~wellbeing~~ <sup>wellbeing</sup> ~~crisis~~ by (Sexually Assaulting & Battery), Contrary to the established State and Federal Constitutional protections.

4. Wherefore, it is unknown as to the effects or damage/injury done to claimant all that is known is the actions of (OFFICER "THOMAS") placed claimants' Life in danger and physical harm.

5. Wherefore, nominal, compensatory and punitive damages are being sought by claimant in the amount of (Compensatory in the amount of \$5,000,000.00) and (Punitive in the amount of - \$1,000,000.00). Due to claimants (Eighth) Amendment rights of the United States Constitution being violated thru "Cruel & Unusual Punishment"!

\* 

Respectfully Submitted

Mr. Nesean Bonie (#1541812)

Sworn to before me this ~~\_\_\_\_~~ (NOTARY UNAVAILABLE) on (January 10<sup>th</sup>, 2020)  
 day of ~~\_\_\_\_~~, 20 - see attached <sup>\*</sup>(Verification when Notary Unavailable) <sup>^</sup>"Supplement"

\* OFFICER POLANCO, states "NOTARY UNAVAILABLE" \*

(ps #10 F1)

VERIFICATION

State of New York }  
 ss:  
 County of DUTCHESS }

I Mr. Nasean Bonie, being duly sworn deposes and says that  
 I, Nasean Bonie, have read the foregoing noted of intention to file a  
 claim and know the content thereof, that the same is true to  
 my knowledge, except as to matters therein stated to be alleged upon  
 information and belief, and as to those matters it is believed that  
 they are true.

Respectfully Submitted

\* 

Mr. Nasean Bonie (#15A1872)

Green Haven Correctional Facility

P.O. Box # 4000,

Stormville, NY 12582

~~Sworn to before me this~~ \* (NOTARY UNAVAILABLE) on (January 10<sup>th</sup>, 2020)

~~day of~~ , 20 - see attached \* (Verification when Notary Unavailable)\*

(Supplement)

\* OFFICER: POLANCO, states "NOTARY UNAVAILABLE" \*

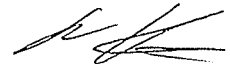
Verification When Notary Public Unavailable

I, Mr. Nasean Bonie, am an inmate presently incarcerated at Green Haven Correctional Facility, PO Box 4000, Stormville, NY 12582, and my ability to acquire the services of a Notary Public is entirely under the control of Corrections Officials. I have made several requests to the facility Law Library as well as requests to my Cell Block officer to obtain the services of a Notary Public. While there is generally a Notary available in accordance with Bounds v Smith, 430 US 817, 824 (1997), the prolonged absence of the facility Notary(ies) due to illness, vacation and/or scheduling conflicts has resulted in my inability to have my verified statement(s) notarized. For the purpose of submitting the enclosed documents in a timely manner, I therefore must verify my documents via the methods approved in People v Sullivan, 56 NY2d 378 (1982) and US ex rel. Echevarria v Silberglitt, 441 F2d 225 (1971), to wit: Notice of Intention to File A Claim (Nasean Bonie -against- State of New York) (P.R.E.A.) Against OFFICER: ILEHEMA THOMAS! Civil Actions!

The statements made in the accompanying documents are true to the knowledge of the deponent, except for those matters stated to be alleged upon information and belief, and that as to those matters, I believe them to be true. I understand that a false statement may be punishable as a Class A misdemeanor pursuant to §210.45 of New York State's Penal Law. I further understand that offering a document to a judicial officer knowing it contains a false statement is also punishable as a Class A misdemeanor pursuant to §175.30 of New York State's Penal Law.

Executed on: January 10<sup>th</sup>, 2020

Witnessed: Frank Ellis # 1532507  
print name FRANK ELLIS # 1532507

  
(signature)  
Mr. Nasean Bonie (#15341672)  
Green Haven Correctional Facility  
P.O. Box #4000,  
Stormville, NY 12582

\*Exhibit - A\*

(Friday)

12/7/18

8:40 am

(pg # 1 of 6)

Incident Area: (G-Block, #5 company)

On, (12-7-2018) at or around 8:15 am, I was "Keepblocked" by \*Officer: Huggins\* (A-officer) in (G-Block)!

- Upon leaving my cell for Breakfast "Chow" around 7:40 am, I talked to the officer (Officer: TAYLOR) who took the "GO-Around list, he had me marked down for "Chow & Law Library"! I told (Officer: Taylor), "I had another Death in my family recently and was not allowed to get on the phone yesterday. I told him I have written grievances" and showed him the grievance I wrote for

said incident last night! I further explained to (Officer: Taylor)

"Can I please use the phone by any chance today?"! He replied

"The officer should have given you what you put down for and when we come back from chow, use the phone before going to Law Library".

I went to chow and as (G-Block) was returning from chow, a little shortly after \* (8-AM) \*, I saw "Captain: BEY" (at "F&G" corridor) signing a book! Then we were told to "Take it to the 4<sup>th</sup> Window" by the (Officer: "Black female") and we proceeded back towards (G-Block)!

We walked straight to the Block, because "Captain: BEY" was conversing with "Chow Escorts" (to my knowledge)! I walked upstairs and went straight on the phone per (Officer: Taylors) instructions. I was

speaking on the phone with my mother in particular about my "Cousin" (Omarce Evans, aka "ACE") who just recently passed away!

→  
next page!



(pg #2 of 6)

My family is from (Mount Vernon, NY & Yonkers, NY) and we are very well known, our last names (Evans, Robinson & Yarbrough)!

Several of my Family members are "Correctional Officers" here in "NY-State"! They attended his funeral but me and several other family members who are incarcerated here in "NY-State" were not allowed to attend because, per "DOC" policy a "COUSIN" does not qualify as a privilege to attend the (Wake &/or Funeral)! I was glad to hear my mothers voice who attended and sent me pictures! (Officer: TAYLOR), even escorted me last year in "2017" to my (Uncle: "James Evans", aka "KESTER")

"WAKE" in Mount Vernon, he passed away after a long battle with diabetes! So finally feeling relieved to get on the phone and talk about my family's loss, I was yelled at by a (female Officer: "Caucasian, Blonde hair, approx 5'5") who was in the Bubble "2<sup>nd</sup> Deck"-(G, Block)! She said "Who told you to get on the phone?", I replied "Officer: Taylor, gave me permission"! Nothing else was said I went back to my conversation with my mother than shortly after, I can hear the intercom and "Officer: HUGGINS" yelling into it saying "279, is kept locked nobody told him to get on the phone, tell him to f--- it in"!

Then all Hell broke loose, (The Caucasian female officer) whom I just spoke to starts saying "Get the F--- off the phone"!

I was totally shocked because I am still on the phone with my mother and my mom can hear this woman blatantly cursing at me! →

(pg #3 of 6)

I proceed to hang up the phone and my mother was very upset! I ask the Officer (Caucasian-White Woman), "Why did you disrespect me and curse at me, especially on the phone and my family members can hear you and why are you cursing at me anyway?"! She replied "Because I told you already too get off the phone, this is the 2<sup>nd</sup> time I had to tell you"! I replied "This is the 1<sup>st</sup> time you told me to get off the phone and I complied, so when was the 2<sup>nd</sup> time?"! She turned "RED" in the face and left her post leaving the (2<sup>nd</sup> Deck Bubble) and walked up to me saying "I fucking told you already to get off the phone, you know I did"! Then another officer ("Male-African American, Beard, Fade Haircut, Approx 5'10") approached me as well saying "Explain to me what's the problem?"! So I re-iterated that I had permission from (Officer: Taylor) and I have to go to "LAW LIBRARY" because I'm on (Direct Appeal) and I am soon headed to court on a (440-motion) with my case! In the midst of me and him conversing, "Officer: TAYLOR" arrives and the (Caucasian, Women-Officer) ~~asking~~<sup>CR113</sup> ask him "Did you tell him that he could get on the phone?"! (Officer: Taylor) replies "Yes, I told him so!"! Then the (African-American officer with the "BEARD") says too me "Alright, but you still have to lock in!"! I reply "May I speak to a Sergeant, because this is wrong"! He replies "First of all, you not going to tell me what the Fuck, You are not going to do"! I reply "Since you don't know how to talk to me without being disrespectful, (I asked "OFFICER-TAYLOR" to please bring a Sergeant and I locked in →

(ps#4 of 6)

This has been retaliation long before my (Grievance) on "Officer: Ms. Thomas" she has been doing very inappropriate things on the job to me and I've asked her to stop numerous of times! I am a (ARMY-IRAQ-WAR-VETERAN & HERO), I am a business owner as well from "Owning multiple-properties in the NYC-Area & other various investments"! What I am in Prison for is the accusation that I killed my tenant for (Rent#-owed)! My case was "Highly Publicized" in (New York State) the New York Times called it "HOMICIDE WITHOUT A BODY", including various other News/Media organizations (NBC, ABC, News-12, New York Law Journal, Wikipedia and Google, EtC)! I have done various interviews with different media organizations stating "My Innocence"! Now, when I first arrived to "Green Haven" from "ATTICA" in 2017, I was placed in (G-Block) cell #342. I saw "Officer: Thomas" shortly after and she smiled at me, I didn't remember her until she pulled me out my cell one-night and was speaking to me in the staircase on (3<sup>rd</sup> Deck, G-Block) of how she saw my case on the news and knew my family! She said "I know you Innocent and you going home"! I smiled because I am Innocent and my Attorneys are tirelessly working on getting me set-Free! Then she starts telling me about her family and she holds my hand, I was startled and she places it on her "BUTT" saying "It's not Flat anymore"! She then kisses me! Then grabs my "PENIS" and unzips my pants. I tell her "NO, we can't do this, I'm in Prison"! She then Says "I'm do what I want stop fronting, niggas be wanting me all the time, plus it's a Direct-Order".



(pg #5 of 6)

"OFFICER: THOMAS", then grabs my "Balls" very hard squeezing saying "if you dont give me what I want, I'll scream Rape and pull the Pen"! I'm pissed off & being violated by a woman I'm not even attracted to at all, I wanna hit this women but she forces me to comply! She starts to give me "Feticio" (Oral-Sex) and we have sex with a condom she supplies! This experience isn't a first it starts to happen repeatedly and I can't take it anymore because "I'm being Raped" (Me a Black-Man, Army Veteran, 240 pounds, muscular being raped) by a "UGLY, Troll looking Women", who has the power & Authority to get me "Killed in Prison, New Charge -false Arrest"!

I am so embarrassed that I make up a lie to my own Attorney and tell him to get me moved from "G-Block" because I have Enemies, I want to get out the Prison as well! He then tells his "Co-worker" (Ms. Lauren J. Springer, ESQ!), she writes me and calls me (via-telephone conference)! I talked to her on the phone and was going to tell her but I was (scared + embarrassed) that (Memi"-OFFICER: THOMAS) was raping me, so I lied and told her I have enemies of the victims family members saying "there going to Kill me"! So now weeks go by and (MS. Springer) & my counselor are trying to move me but the whole time I'm waiting I'm being "RAPED", I'm throwing up my Ford, "OFFICER: THOMAS" smell is constantly on me, ~~not~~<sup>(can)</sup> no matter how many times I wash my Body I can smell her "Fishy ODOR" on my Body/Private's!



(ps#6 of 6)

Today, I'm not scared anymore the loss of my cousin is just too much and I don't care about my pride or being laughed at  
"Officer: THOMAS, ILESTHEMA aka (Mimi)" RAPED ME!  
I am asking for your office to help me, Please!

Sincerely Yours

Mimi (41541872)

Green Haven Correctional Facility

P.O. Box # 4000

Stormville, NY 12582

\*(1<sup>st</sup> INFANTRY DIVISION, IRAQ)\*

P.S.

"Officer: Huggins", is her younger sister! She is from (Mount Vernon, NY) as well!


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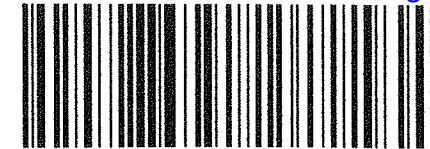
Executed on: January 10<sup>th</sup>, 2020

Witnessed: Frank Ellis # 1532507  
print name FRANK ELLIS # 1532507

  
(signature)  
Mr. Nasean Bonie (#15A1872)  
Green Haven Correctional Facility  
P. O. Box # 4000,  
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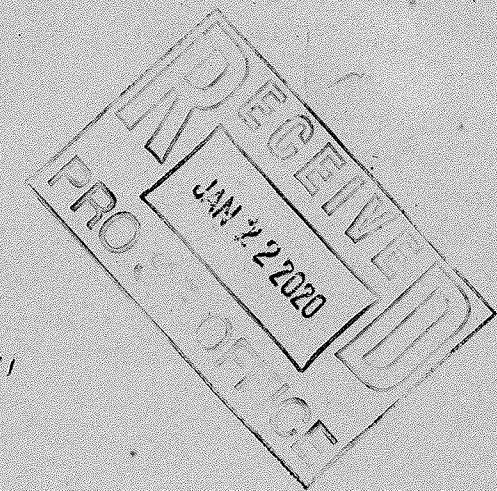
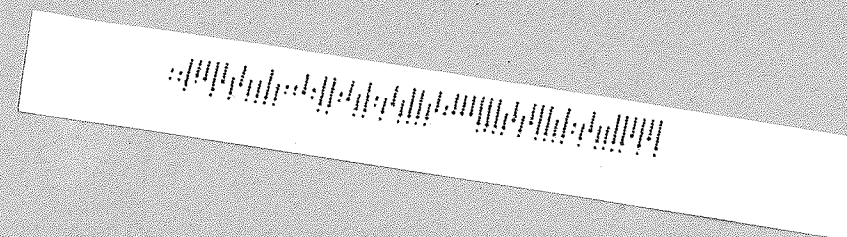
Mr. Nasean Bonie (#15A1872)  
Green Haven Correctional Facility  
P.O. Box # 4000,  
Stormville, NY 12582



CERTIFIED MAIL<sup>®</sup>  
PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT  
OF THE RETURN ADDRESS. FOLD AT DOTTED LINE

GREEN HAVEN

NEOPOST  
01/16/2020  
US POSTAGE \$008.35<sup>2</sup>



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Daniel Patrick Moynihan (U.S. Courthouse),  
500 PEARL Street,

NEW YORK, NY

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SDNY  
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Pro Se Intake  
KH

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